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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DUSA PHARMACEUTICALS, INC.,
a New Jersey corporation; and
QUEEN'S UNIVERSITY AT
KINGSTON, a Canadian academic
organization,

Civil Action No. 04-12703-NMG

Plaintiffs,

v.

NEW ENGLAND COMPOUNDING
PHARMACY, INC., a Massachusetts
corporation,

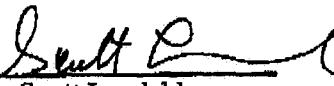
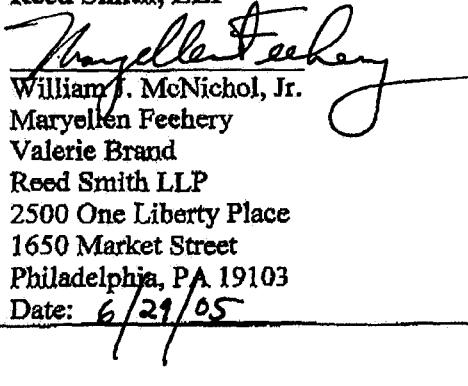
Defendant.

LOCAL RULE 16.1(D)(3) CERTIFICATION

Pursuant to Local Rule 16.1(D)(3) of the United States Court for the District of Massachusetts, the Plaintiffs, DUSA Pharmaceuticals, Inc. and Queen's University at Kingston, and their counsel certify the following:

1. Plaintiffs and their counsel have conferred with a view towards establishing a budget for the costs of conducting the full course and various alternative courses of litigation; and

2. Plaintiffs and their counsel have considered the use of alternative dispute resolution programs to resolve the litigation.

DUSA Pharmaceuticals, Inc.  Name: Scott Lundahl Title: Vice President of Regulatory Affairs and Intellectual Property Date: 6/29/05	Queen's University at Kingston Name: _____ Title: _____ Date: _____
Reed Smith, LLP  William J. McNichol, Jr. Maryellen Feehery Valerie Brand Reed Smith LLP 2500 One Liberty Place 1650 Market Street Philadelphia, PA 19103 Date: 6/21/05	

Respectfully submitted,

DUSA PHARMACEUTICALS, INC. AND
QUEEN'S UNIVERSITY AT KINGSTON,

By their attorney,

/s/ Mona M. Patel

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